

January 19, 2011

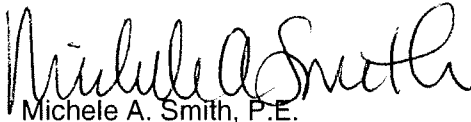
Attn: Compliance Tracker, AE-17J  
Air Enforcement and Compliance Assurance Branch  
U.S. Environmental Protection Agency Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545  
Effective Date February 4, 2010

Dear Sirs:

Please find attached the Quarterly Report for Fourth Quarter 2010. Please contact me at (513) 467-2470 or [michele.smith@lustran-polymers.com](mailto:michele.smith@lustran-polymers.com) if you have any questions concerning the submitted information.

Respectfully Submitted,



Michele A. Smith, P.E.  
Environmental Specialist  
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5  
T. Kalman, OEPA  
G. Bachmann, Ohio AG  
M. Kramer, HCDOES

# **INEOS ABS (USA) CORPORATION'S ADDYSTON, OH PLANT**

## **CONSENT DECREE QUARTERLY REPORT**

Consent Decree Civil Action No. 1:09-CV-545

Effective Date February 4, 2010

Reporting Period: 10/01/10 – 12/31/10

### **I. INTRODUCTION**

The following report contains the required information about INEOS ABS' compliance activities associated with the requirements in Paragraph 50 a. and 50 b. in the Consent Decree.

### **II. LEAK DETECTION AND REPAIR (LDAR) REPORTING OBLIGATIONS**

Per Appendix A of the Consent Decree, INEOS ABS submitted the following reports to the U.S. EPA and Ohio EPA:

#### **A. COMPLIANCE STATUS REPORTS**

No compliance status reports were required to be submitted during this period.

#### **B. CORRECTIVE ACTION PLANS**

The Corrective Action Plan for the 2010 external audit was completed on 09/21/10 and was submitted for approval on 12/21/10.

#### **C. CERTIFICATE OF COMPLIANCE**

No certificate was required to be submitted during this period.

### **III. FLARE MONITORING INSTRUMENTS REPORTING OBLIGATIONS**

Per Paragraph 23 of the Consent Decree, INEOS ABS submitted the following reports to the U.S. EPA and Ohio EPA:

- October 2010 Report submitted on November 8, 2010
- November 2010 Report submitted on December 9, 2010
- December 2010 Report submitted on January 6, 2011

### **IV. NONCOMPLIANCE WITH CONSENT DECREE**

Per Paragraph 50 b. of the Consent Decree, INEOS ABS submitted the following letters of noncompliance to the U.S. EPA and Ohio EPA:

#### **A. Missed Monitoring – Letter Dated November 8, 2010**

A pump was repaired and put back into HAP service. The pump had failed on a Method 21 screening; a visual pass was observed on the pump when it was put back into service, but the Method 21 re-screening was not performed until two days later at which time it passed final repair.

A drain valve and an open-ended line (OEL) were removed from a pump outlet discharge line sometime during third quarter and were not monitored. Prior to fourth

quarter monitoring in the area, the valve and OEL were re-installed and were monitored.

During fourth quarter monitoring of valves, it was discovered that a valve was misclassified as Difficult-to-Monitor. As it was not classified as a Normal valve, it was not scheduled for monitoring until fourth quarter in our LDAR database.

During fourth quarter monitoring, one valve and two OELs were added into the LDAR program that are associated with our maleic anhydride storage tank and have been present on the tank all year but not in the program.

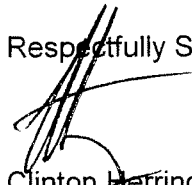
**B. End-of-Shift Calibration Drift Re-assessment not Completed – Letter Dated January 7, 2011**

On one day that Method 21 monitoring was performed at the site, the calibration drift re-assessment was not completed at the end of the monitoring shift as required in Part C, Paragraph 8 of Appendix A of the Consent Decree. The calibration drift re-assessment was performed on the monitoring equipment five days later; the equipment was not used between the end of monitoring and the calibration drift re-assessment.

**V. CERTIFICATION**

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,



Clinton Herring  
General Manager, NAFTA  
INEOS ABS (USA) Corporation